

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THOR 942 FULTON STREET, LLC
Plaintiff,

-v-

FUTURE TRANSACTIONS
HOLDINGS, LLC, et al.,
Defendant.

22-CV-5880 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

Plaintiff invokes this Court's diversity jurisdiction pursuant to 28 U.S.C. § 1332. However, the Complaint does not adequately demonstrate the Court's subject matter jurisdiction because it does not allege the citizenship of each of the members of the LLC Plaintiff. The principal place of business and state of registration of a limited liability company are not relevant to the question of diversity of citizenship under § 1332. Rather, for purposes of diversity jurisdiction, an LLC has the citizenship of each of its members. *See ICON MW, LLC v. Hofmeister*, 950 F. Supp. 2d 544, 546 (S.D.N.Y. 2013) (citing *Bayerische Landesbank v. Aladdin Capital Mgmt. LLC*, 692 F.3d 42, 49 (2d Cir. 2012)). Thus, in order to invoke this Court's diversity jurisdiction, Plaintiff must allege that the citizenship of each member of the LLC Plaintiff was diverse from Defendants at the date of this action's filing.

Therefore, Plaintiff shall, on or before July 28, 2022, either (1) show cause as to why its complaint should not be dismissed for lack of subject matter jurisdiction, or (2) move to file an amended complaint that properly pleads jurisdiction. If Plaintiff fails to do so, this action may be dismissed.

SO ORDERED.

Dated: July 14, 2022

New York, New York



J. PAUL OETKEN
United States District Judge